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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON

8 RORY VAUGHN KEETON,
9 Plaintiff,
10 vs.
11 MICHAEL J. ASTRUE, Commissioner
12 of Social Security
13 Defendant.

14 NO. CV-09-3103-CI

15 **ORDER ADOPTING REPORT AND
RECOMMENDATION**

16 Magistrate Judge Imbrogno filed a Report and Recommendation on
17 April 26, 2010, recommending Defendant's Motion to Dismiss (Ct. Rec. 4)
18 be denied. (Ct. Rec. 15.) Objections to the Report and Recommendation
19 were due on May 10, 2010. There being no objections to the Report and
20 Recommendation, the Court **ADOPTS** the Report and Recommendation.
21 Defendant's Motion to Dismiss (Ct. Rec. 4) is **DENIED**, and Defendant is
22 directed to file and serve an Answer to Plaintiff's Complaint within 60
23 days of entry of this Order. Thereafter, the parties shall confer and
file a stipulated scheduling order.

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1 **IT IS SO ORDERED.** The District Court Executive shall forward
2 copies of this Order to counsel.

3 DATED this 21st day of May 2010.

S/ Edward F. Shea
EDWARD F. SHEA
United States District Judge